

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Eugene Lukanidin

Examiner: Unassigned

Serial No.: To Be Assigned

Art Unit: Unassigned

Filed: Herewith

Docket: 7879ZYAIIIZY

For: DIAGNOSIS OF METASTATIC
CANCER BY THE MTS-1 GENE

Dated: February 5, 2002

Assistant Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Please enter the following preliminary amendment in the above-identified application.

IN THE SPECIFICATION:

Please amend the paragraph beginning at page 1, line 4 with the following paragraph:

--CROSS-REFERENCE TO RELATED APPLICATIONS

This is a Continuation of U.S.S.N. 09/298,625 filed April 23, 1999, which is a

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I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231.

Dated: February 5, 2002


Michelle Mustafa

Continuation-In-Part of U.S.S.N. 08/468,942 filed June 6, 1995, which is a Divisional of U.S.S.N. 190,560 filed January 31, 1994, which is a Continuation-In-Part of U.S.S.N. 981,455 filed November 25, 1992, which is Rule 60 Continuation of U.S.S.N. 550,600 filed July 9, 1990.--

IN THE CLAIMS:

Please cancel claims 1-10 without prejudice.

Please add the following claims:

11. An antibody against a mammalian mts-1 protein.
12. The antibody of claim 11, wherein the mammal is human, rat or mouse.
13. The antibody of claim 11, wherein said antibody is monoclonal or polyclonal.
14. An antibody against an isolated human mts-1 protein, wherein said human mts-1 protein comprises the sequence as set forth in SEQ ID NO: 2.
15. The antibody of claim 14, wherein said antibody is monoclonal or polyclonal.
16. An antibody against a peptide fragment of the human mts-1 protein, wherein said human mts-1 protein comprises the sequence as set forth in SEQ ID NO: 2.
17. The antibody of claim 16, wherein said peptide is selected from any one of SEQ ID NOS: 4-7.
18. The antibody of claim 16, wherein said antibody is monoclonal or polyclonal.
19. A pharmaceutical composition comprising a pharmaceutically acceptable carrier and the antibody of any one of claims 11, 14 or 16.

REMARKS

The specification has been amended to properly cross-reference the parent applications.

205020-0152901

Claims 1-10 have been canceled without prejudice. Claims 11-19 have been added.

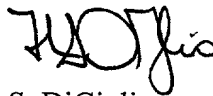
Claims 11-19 are drawn to antibodies against an mts-1 protein or a peptide fragment thereof.

Support for claims 11-18 is found in the specification at pages 28-33. Claim 19 is drawn to a pharmaceutical composition comprising an antibody against an mts-1 protein. Support for claim 19 is found in the specification at page 41, for example. Applicant respectfully submits that the foregoing amendments do not introduce new matter.

Attached hereto is a marked-up version of the changes made to the specification and claims by the instant amendment. The attached page is captioned "**Version with Markings to Show Changes Made.**"

It is firmly believed that the subject application is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,



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FSD/XZ:ab

Serial No: To be assigned.
Date: February 5, 2002

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

Please amend the paragraph beginning at page 1, line 4 as follows:

--CROSS-REFERENCE TO RELATED APPLICATIONS

This is a Continuation of U.S.S.N. 09/298,625 filed April 23, 1999, which is a Continuation-In-Part of U.S.S.N. 08/468,942 filed June 6, 1995, which is a Divisional of U.S.S.N. 190,560 filed January 31, 1994, which is a Continuation-In-Part of U.S.S.N. 981,455 filed November 25, 1992, which is Rule 60 Continuation of U.S.S.N. 550,600 filed July 9, 1990.--

In the claims:

Please cancel claims 1-10 without prejudice.

Please add the following claims:

11. An antibody against a mammalian mts-1 protein.
12. The antibody of claim 11, wherein the mammal is human, rat or mouse.
13. The antibody of claim 11, wherein said antibody is monoclonal or polyclonal.
14. An antibody against an isolated human mts-1 protein, wherein said human mts-1 protein comprises the sequence as set forth in SEQ ID NO: 2.
15. The antibody of claim 14, wherein said antibody is monoclonal or polyclonal.
16. An antibody against a peptide fragment of the human mts-1 protein, wherein said human mts-1 protein comprises the sequence as set forth in SEQ ID NO: 2.
17. The antibody of claim 16, wherein said peptide is selected from any one of SEQ ID NOS: 4-7.

18. The antibody of claim 16, wherein said antibody is monoclonal or polyclonal.
19. A pharmaceutical composition comprising a pharmaceutically acceptable carrier and the antibody of any one of claims 11, 14 or 16.